IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.25843 of 2006

Dated: December 13, 2006

Between:

Lincolns Educational Society, 32, II Floor, Unity House, Abids, Hyderabad, rep. by its Secretary Mr. K. Krishna Reddy, and others.

… Petitioners

And

Andhra Pradesh State Council for Higher Education Rep. By its Secretary, Masabtank, Hyderabad, and Others.

… Respondents

Order:

Though the Writ Petition is listed under the caption 'for admission', at the request of the learned counsel appearing on either side, the same is disposed of at the admission stage itself.

2. Petitioners seek a Writ of Mandamus to declare the action of the first respondent in not receiving the list of admitted candidates in the

second petitioner-institution pertaining to M.C.A. course and in not recognizing the admissions as illegal and arbitrary.

3. The first petitioner, an educational society, is running the second petitioner-institute, which is imparting M.C.A. courses apart from other courses. After admissions were made to fill up unfilled vacant seats in Convenor quota, petitioners have issued paper notification dated 27-09-2006, to fill up the said vacant seats, inviting candidates for admission in M.C.A. course before the cut-off date notified by the first respondent, i.e. 30-09-2006. It is stated that as per the notification issued by the first respondent, list of admitted candidates had to be submitted by 07-10-2006, however, petitioner has submitted the list on 11-10-2006.

4. Learned counsel for petitioners submits that similar issue as that of in this Writ Petition arose for consideration before this court in a batch of cases in W.P.No.21800 of 2006 and batch and this Writ Petition is covered to be disposed of in terms of the said order.

5. Recording the submission of the learned counsel for the petitioner and following the directions issued by this court in the aforesaid batch of cases, this Writ Petition is disposed of directing the respondents to approve the list of candidates submitted by the petitioners and allow them to pursue their courses, provided they are otherwise qualified and are admitted within the intake capacity as fixed by the AICTE. However, petitioners shall file written undertaking within a period of two weeks from the date of receipt of a copy of this order before the respondents to the effect that they will abide by the academic schedule for making admissions for the next academic year. It is also made clear that if there is any violation of the academic schedule by the

petitioners in future, it is open for the respondents to take appropriate steps to disaffiliate such of the Managements which do not adhere to the admission schedule notified by the competent authority.

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JUSTICE R. SUBHASH REDDY.

December 13, 2006
MRR